

Center for Children's Advocacy

TESTIMONY OF THE CENTER FOR CHILDREN'S ADVOCACY TO THE JUDICIARY COMMITTEE IN SUPPORT OF H.B. 6682 AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF EDUCATION AND LAW ENFORCEMENT PERSONNEL April 5, 2013

This testimony is submitted on behalf of the Center for Children's Advocacy, a non-profit organization based at the University of Connecticut School of Law to urge you to pass **Raised Bill Number 6682**, An Act Concerning Collaboration between Boards of Education and Law Enforcement Personnel. The Center supports this Act because it requires schools with police in them to adopt written policies or Memoranda of Agreements (MOAs) outlining the parameters and guidelines for police presence within the schools. It also requires that schools report on the number of arrests that have occurred within their school as a part of their annual Strategic School Profile. Too many of our youth are unnecessarily arrested in school leading to the development of what is commonly referred to as the school-to-prison pipeline. Youth of color and youth with disabilities make up a disproportionate number of this group.¹ For this reason, the Center does not support increased police presence in schools.² However, if a community makes a decision to put police within its schools, **H.B. 6682 would ensure that the police presence within those schools is focused on school safety and the best interests of each of our children and youth**, and help to prevent their unnecessary arrest or criminalization.

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The Center provides holistic legal services for Connecticut's poorest and most vulnerable children through both individual representation and systemic advocacy. Through our TeamChild Juvenile Justice Project, the Center collaborates with the Juvenile Probation Offices in Hartford and Bridgeport to improve our clients' juvenile justice outcomes by securing needed services through community agencies or the school system. We also run Disproportionate Minority Contact (DMC) Reduction Projects in both Hartford and Bridgeport, where we work with local stakeholders to develop strategies to reduce the disproportionate representation of youth of color in our juvenile justice system. One of our key areas of focus has been

¹ Connecticut Juvenile Justice Alliance, *Adult Decisions: Connecticut rethinks student arrests*, p. 4 (January 2013). Furthermore, an American Civil Liberties Union report on school-based arrests in the Hartford area which analyzed data from the 2005-2006 and 2006-2007 school years showed that children of color were significantly more likely to be arrested for the same offense as white children. American Civil Liberties Union & American Civil Liberties Union of CT, *Hard Lessons: School Resource Officer Programs and School-Based Arrests in Three Connecticut Towns* (2008), available at http://www.aclu.org/pdfs/racialjustice/hardlessons_november2008.pdf

² The presence of police in schools increases the likelihood that a child will be arrested for conduct that would have otherwise been considered to be under the realm of school discipline. American Civil Liberties Union & American Civil Liberties Union of CT, *supra*, p. 16.

the reduction of school-based arrests occurring in the Hartford and Bridgeport public school systems.

Even before our work with the DMC projects, we have seen too many youth enter the juvenile justice system as a result of being arrested for minor offenses in school.³ The vast majority of these youth are of color, in particular Black or Latino, even though these groups only make up 13 percent and 16 percent of the population respectively.⁴ This is particularly the case in our big cities. For example, in the city of Hartford, school-based arrests comprised nearly **40 percent of all juvenile arrests** during the 2011-12 school year.⁵ It is unacceptable that for our most vulnerable youth, school has become a gateway to the juvenile justice system rather than to a meaningful education.

A culture where children are regularly arrested at school harms children and communities. Keeping children in school is crucial to improving their long-term opportunities. Children who feel connected to school are less likely to use illegal substances, become pregnant, attempt suicide or engage in violent behavior.⁶ On the other hand, arresting children in school makes it more likely that they will drop out, or become involved in the adult criminal justice system in the future.⁷

As a result of the recent tragedy in Newtown, and subsequent federal and local initiatives, it is likely that police presence in schools will grow. Therefore, it is of the utmost importance that we ensure that their presence there has clear and marked parameters. **H.B. 6682 would achieve this purpose** while providing for a proven, effective framework for school-police collaboration. This proposed legislation would:

1. Require collaboration between police and schools whenever a community decides to station police within its schools;
2. Mandate the adoption of formal written policies or agreements (MOAs) between police and schools in those communities, incorporating graduated response policies for student discipline and detailing the roles and responsibilities of police officers stationed in schools, also known as school resource officers or SROs, and;

³ Such offenses, which would otherwise be handled through the internal school disciplinary chain, often result in arrests for “breach of peace” or “disorderly conduct.” Children’s Center for Law & Policy, *DMC Data Meeting, Hartford Subcommittee*, September 8, 2011 p. 9, citing data gathered by the Court Support Services Division (C.S.S.D.)

⁴ Overrepresentation of youth of color in the juvenile justice system is a national trend that continues to persist. Justice Policy Institute, *Common Ground: Lessons Learned from Five States that Reduced Juvenile Confinement by More Than Half*, p. 11 (February 2013).

⁵ Source: C.S.S.D. data from October 2011 through March 2012.

⁶ Kathryn C. Monahan et al., *Predictors and Consequences of School Connectedness: The Case for Prevention*, 17 THE PREVENTION RESEARCHER 3, 3-6 (September 2010).

⁷ Connecticut Juvenile Justice Alliance, *supra*, p. 5. Anthony Petrosino et al., *Formal System Processing of Juveniles: Effects on Delinquency*, CAMPBELL SYSTEMATIC REVIEWS 2010:1, 36-37.

3. Provide communities and their stakeholders with better access to data concerning the number of arrests of students in their schools so that problems with police–school interactions can be identified and addressed as they arise.⁸

School police collaborations that are carefully circumscribed through written policies reduce the number of children and students unnecessarily arrested in our communities. Our DMC reduction work in Hartford and Bridgeport is proof positive of this fact. At the heart of this work has been the adoption of an MOA between the school district and the police department. A Memorandum of Agreement detailing the roles and responsibilities of police in schools, and outlining graduated response models for school discipline, is an appropriate and effective tool for ensuring police presence in schools is about safety and consistency, while taking care not to over-criminalize non-dangerous youth. **In the city of Hartford, the signing of the MOA this past fall helped to facilitate a drop in Hartford’s school-based arrests by 59 percent between this school year and last. Bridgeport, which signed its MOA in the summer of 2012, experienced a 38 percent drop in school-based arrests over the same time frame.**⁹ Similar agreements have been used nationally and in other Connecticut cities and towns, including Manchester, Stamford and Windham, with great success.¹⁰ In fact, a model MOA created by Connecticut’s Juvenile Justice Advisory Committee is readily available for our local communities to adapt to their needs.¹¹

The success of the MOAs in Hartford and Bridgeport, and school–police MOAs in general, depend upon the collection and sharing of school-based arrest data. Availability of data on school-based arrests is an essential component in building and framing the school–police relationship. Data demonstrates where problems exist so that they may be readily addressed. The more detailed the data is, the better. Data broken down by offense helps to demonstrate where more resources might be needed. For example, if data shows that there are a number of arrests for disorderly conduct coming out of a particular school; this may be an indicator that training is needed in classroom management techniques.¹² The sharing and dissemination of this data will keep schools accountable to their communities. It will also ensure that the MOA continues to be implemented by requiring schools and police to monitor the level of arrests in school.

⁸ Proper data collection can lead to the reduction of unnecessary school based arrests, and an increase in diversionary initiatives. Connecticut Juvenile Justice Alliance, *supra*.

⁹ Source: C.S.S.D. See attached chart “Reduction in School-Based Arrests: Hartford & Bridgeport” for further explanation.

¹⁰ Justice Policy Institute, *Education Under Arrest: The Case Against Police in Schools* 29 (November 2011). See also, generally, Connecticut Juvenile Justice Alliance, *supra*.

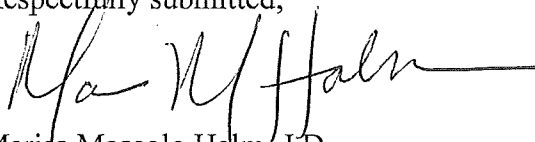
¹¹ The Connecticut Juvenile Justice Advisory Committee model Memorandum of Agreement is available at: <http://www.ct.gov/opm/cwp/view.asp?a=2974&Q=471720>.

¹² Teacher training for classroom management techniques is a common intervention that is used by the School Based Diversion Initiative here in Connecticut, a project run through the Connecticut Center for Effective Practice at CHDI, to reduce arrests in school.

In closing, the Center for Children's Advocacy urges the Committee to pass Raised Bill No. 6682. This bill provides communities the necessary tools to ensure that the police in our schools are focused on protecting our children and youth and engaged in best practices so as to minimize their involvement in school discipline. Our schools should be places where our children and youth can flourish and grow, not where they are fearful of being arrested for minor behaviors.

Thank you for your time and consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marisa Mascolo Halm", with a long horizontal flourish extending to the right.

Marisa Mascolo Halm, J.D.
Director, TeamChild Juvenile Justice Project

Att.

Reduction in School-Based Arrests: Hartford & Bridgeport

